

111TH CONGRESS
1ST SESSION

H. R. 1238

To prohibit the presence in the United States of any alien formerly detained at the Department of Defense detention facility at Naval Station, Guantanamo Bay, Cuba.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2009

Mr. SHADEGG introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To prohibit the presence in the United States of any alien formerly detained at the Department of Defense detention facility at Naval Station, Guantanamo Bay, Cuba.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON PRESENCE IN UNITED OF**
4 **FORMER GUANTANAMO BAY DETAINEES.**

5 Notwithstanding any other provision of law, an alien
6 who is detained at the Department of Defense detention
7 facility at Naval Station, Guantanamo Bay, Cuba, on the
8 date of the enactment of this Act—

1 (1) is permanently ineligible for admission to
2 the United States for any purpose, whether tem-
3 porary or permanent, including admission as a ref-
4 ugee; and

5 (2) is permanently ineligible for parole into the
6 United States or any other physical presence in the
7 United States that is not regarded as an admission,
8 including transfer to a physical location in the
9 United States for detention purposes.

10 **SEC. 2. SPECIFICATION OF CONSTITUTIONAL AUTHORITY**
11 **FOR ENACTMENT OF LAW.**

12 This Act is enacted pursuant to the power granted
13 to Congress under article 1, section 8, clause 4, to estab-
14 lish a uniform rule of naturalization, and under article 1,
15 section 8, clause 18, of the United States Constitution.

○